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**From:** Post, William [post.william@epa.gov]  
**Sent:** 7/22/2020 11:56:30 AM  
**To:** Byrne, Andrew [Byrne.Andrew@epa.gov]  
**Subject:** RE: R6 RTOC - McGirt and SAFETEA

Thank you,

I've heard this in discussions and have been meaning to research what it means.

-Will

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**From:** Byrne, Andrew <Byrne.Andrew@epa.gov>  
**Sent:** Tuesday, July 21, 2020 5:48 PM  
**To:** Post, William <post.william@epa.gov>  
**Subject:** FW: R6 RTOC - McGirt and SAFETEA

Hey – see below for some background information. If you are attending Scott and Chad's portion or other portions of the RTOC tomorrow can you keep an ear out for discussions about SAFETEA? Pronounced Safe-Tea.

Thanks.

**Andy Byrne**

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On Jul 21, 2020, at 4:35 PM, Byrne, Andrew <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)> wrote:

Scott and Nate,

An update on a unique issue coming out of last week's Supreme Court *McGirt* decision, this may be raised during tomorrow's RTOC and shortly with OGC and R6 leadership.

OGC has informed me that in the next 1-2 days the State of Oklahoma is expected to formally invoke a provision in the Safe, Accountable, Flexible, Efficient Transportation Equity Act (known as SAFETEA) which allows them to assume environmental program responsibility in Indian country in the State. I believe Matt Leopold previously reached out to you on this, please let me know if you need additional background on this law. The Region 6 tribes are likely aware of this pending request and it will be of major interest to them.

## Ex. 5 Deliberative Process (DP)

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Thanks, please let me know if you have any questions.

**Andy Byrne**

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